IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

KIHASAY ARAYA KUBROM,	§	
A # 213 132 717,	§	
	§	
Petitioner,	§	
	§	
VS.	§	CIVIL NO.
	§	SA-18-CV-1116-DAE(ESC)
RAY CASTRO, Warden of South Texas	§	
Detention Complex, and U.S. Attorney	§	
General, KEVIN MCALEENAN ¹ ,	§	
Acting U.S. Secretary of Homeland	§	
Security (HS),	§	
	§	
Respondents.	§	

ORDER TO SHOW CAUSE

On October, 22, 2018, Petitioner, Kihasay Araya Kubrom filed a Petition for a Writ of Habeas Corpus by a Person in Federal Custody pursuant to 28 U.S.C. § 2241 [#1], challenging his continued custody pending possible deportation to Eritrea or Italy. Petitioner stated he was ordered removed on April 19, 2018 and had been detained since October of 2017. Respondent filed a motion to dismiss [#9], maintaining that Petitioner failed to show there was "no significant likelihood of removal in the reasonably foreseeable future." On January 3, 2019, Petitioner was appointed counsel [#13], and a status conference was scheduled for February 8, 2019. However, on February 1, 2019, the parties filed a joint motion to continue the status conference for sixty days [#15], based on Respondent's representation that it had received Petitioner's Eritrean travel document and was "working to schedule a flight to Eritrea as soon as possible." Respondent subsequently filed an advisory [#17], stating that "[t]he parties jointly

¹ The Court has substituted Kevin McAleenan, who is currently the Acting U.S. Secretary of HS.

request that the Court grant the Motion and dismiss the Petition." As a result, on February 12, 2019, Respondent's Motion to Dismiss was granted [#18], and a judgment was entered [#19].

Almost three months later, Petitioner submitted correspondence, dated May 9, 2019 [#20] and May 16, 2019 [#21], advising the Court he has not yet been removed.

Accordingly, **IT IS ORDERED THAT** within fourteen (14) days from the date of this Order, Respondents must show cause why a new case should not be opened, and the government ordered to be served.

The Clerk is directed to serve Petitioner's former counsel, as well as the Petitioner, with a copy of this Order.

SIGNED this 23rd day of May, 2019.

ELIZABETH S. ("BETSY") CHESTNEY UNITED STATES MAGISTRATE JUDGE